

**MINUTES OF THE JONESTOWN BOARD OF ADJUSTMENTS & APPEALS MEETING
HELD SEPTEMBER 27, 2021, 4:00 P.M., AT THE CITY COUNCIL CHAMBER, 18649
FM 1431, SUITE 3A, JONESTOWN, TEXAS.**

Sara Jane Cantwell (Place 1) Robert L. Rogers, Vice Chair (Place 2)	Jim Etherton, (Place 3) Henry Mayes (Place 4) Paul Dertien (Place 5)	Kara Trissel (Alternate 1) Jona TenEyck (Alternate 2)
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A. ITEMS OPENING MEETING:

1. CALL TO ORDER

CHAIRMAN

Chair Rogers called the meeting to order at 4:00 p.m.

2. ROLL CALL

SECRETARY

Present: Chair Rogers, Vice Chair Mayes, Members Cantwell and Dertien

Absent: Members Etherton, Alternates TenEyck and Trissell

Staff Present: City Administrator Jones, Development Services Director Jolly, City Attorney Montgomery, Building Official Ubelhor, Permit Technician Barton

3. APPROVAL OF MINUTES

August 30, 2021, meeting

A motion was made by Board Member Cantwell and seconded by Vice Chair Mayes to approve the minutes of the August 30, 2021 meeting. The motion passed unanimously.

GENERAL BUSINESS:

OLD BUSINESS:

- 4. a. CONTINUANCE OF PUBLIC HEARING on a request by Jon Ubelhor, Building Official, City of Jonestown to consider the evidence of the violation of Ordinance Chapter 3, Article 3.03 Substandard Building Regulations, Sec. 3.03.034 (1-4) and Sec. 3.03.035, for ordering the repair, removal, securing, vacation, and/or demolition of the building or structures located at 18304 East Lake Terrace Drive, Lot 361 Retirement Village No. 3, Jonestown, TX 78645, owner of record for said property being STL Renaissance Properties, LLC, 16238 N Ranch Road 620 F 342, Austin, TX, 78717.**

Chair Rogers described the format for this public hearing for ordering the repair, removal, securing, vacation, and/or demolition of substandard buildings for the benefit of the meeting attendees. He opened the public hearing on property located at 18305 East Lake Terrace Drive, Jonestown, Texas and asked City Building Official Ubelhor to begin his presentation.

Mr. Ubelhor stated that he had met with the property owner, Michael Cantrell with STL Renaissance LLC, to inspect the condition of the home and property and to discuss the scope of work, cost, and timeline to repair the home to a habitable condition. In the last 30 days, the property had been mowed and Mr. Cantrell had provided the scope of work with cost and timeline as well as requesting an insurance estimate to prepare the roof of the home. Mr. Ubelhor shared photos of the home taken in February 2019 and in September 2021 to show the deterioration that occurred since the home was moved in.

Permits required to repair and renovate the home were discussed including the contractors/subcontractors who must be registered with the City of Jonestown and provide proof of insurance. Board members questioned whether the trades were available to perform the work according to the timeline provided and whether the home and property were secured with no trespassing signage.

Property owner Michael Cantrell, owner of STL Renaissance LLC, explained the scope of work to Board members including his timeline for repairs to be completed with the home ready for a certificate of occupancy by mid-December 2020. He provided a site plan, and noted the home will remain on piers, the drain field is on the back of the property, and the septic design was completed by Registered Sanitarian Tom Partridge.

b. Consideration and possible action on the above request by Jon Ubelhor, Building Official, City of Jonestown to consider the evidence of the violation of Ordinance Chapter 3, Article 3.03 Substandard Building Regulations, Sec. 3.03.034 (1-4) and Sec. 3.03.035, for ordering the repair, removal, securing, vacation, and/or demolition of the building or structures located at 18304 Lake Terrace Drive, Lot 361 Retirement Village No. 3, Jonestown, TX 78645, owner of record for said property being STL Renaissance Properties, LLC, 16238 N Ranch Road 620 F 342, Austin, TX, 78717.

City Attorney Montgomery presented "Exhibit B: Findings of Minimum Standards Violations" to the Board Members to determine what is substandard and dangerous in accordance with Article 3.03 of the Jonestown Code of Ordinances. Board members considered the evidence and testimony presented and prepared written findings of the minimum standards violations for this property. Board member Dertien motioned that based on the "Findings of Minimum Standards Violations", the structure at 18304 East Lake Terrace Drive is a substandard building. The motion was seconded by Chair Rogers and passed unanimously.

Chair Rogers stated Mr. Cantrell, owner of STL Renaissance LLC, had presented a scope of work and timeline to repair the substandard building at 18304 Lake Terrace Drive. He asked Board members if there was a motion for this structure to be demolished. There was no motion made to demolish the structure.

City Attorney Montgomery advised Board members regarding the "Order of the City of Jonestown Board of Adjustments and Appeals Ordering Repair of Substandard Building". Board members discussed the timeline for completion of repairs meeting requirements for certificate of occupancy by January 31, 2022, securing the property no later than October

1, 2021, and obtaining City building permits by October 15, 2021. If building permits are not obtained by October 15, 2021, the owner shall obtain a demolition permit from the city for the building to be demolished or removed from the property by November 30, 2021. The property owner shall submit weekly progress reports to City staff until the work is completed and the certificate of occupancy is issued. Board member Cantwell motioned to accept STL Renaissance LLC's scope of work and timeline presented by Mr. Cantrell that is acceptable by both parties to allow repair of the structure and obtain a Certificate of Occupancy by January 31, 2021. The motion was seconded by Vice Chair Mayes and passed unanimously.

NEW BUSINESS:

- 1. a. PUBLIC HEARING on a request for a variance from the Jonestown Code of Ordinances Chapter 14 Zoning, Article 14.02, Sec. 14.02.061(b)(2) and (Chart 1) by Jeffrey and Penny Berlin to allow for a building to be placed in the front setback of the property located at 18408 Ranchland Hills Vista, (Lot 20 Block A Ranchland Hills Subdivision), Jonestown, TX.**

Neighboring property owners Marvin and Sherry Hunt, 18400 Ranchland Hills Vista (Lot 21) and Jim Ryan, 18308 Ranchland Hills Vista (Lot 23) addressed Board members with their concerns regarding this variance request specifically relating to the size of the home and placement of the home on Lot 20 affecting views and property values. They noted that the variance request was not approved by the new leadership of the property owners' association. Mr. Ryan stated that all lots on the south side of Ranchland Hills Vista have a steep topography creating significant costs for foundations and walls, and those property owners did not receive a variance. There being no other citizens wishing to speak, Chair Rogers closed the public hearing.

- b. Consideration and possible action on the above request for a variance from the Jonestown Code of Ordinances Chapter 14 Zoning, Article 14.02, Sec. 14.02.061(b)(2) and (Chart 1) by Jeffrey and Penny Berlin to allow for a building to be placed in the front setback of the property located at 18408 Ranchland Hills Vista, (Lot 20 Block A Ranchland Hills Subdivision), Jonestown, TX.**

Applicant Jeffrey Berlin notified City staff prior to the meeting that he was out of town and requested this application for variance request be tabled to the next meeting so he can be present to address Board members questions. Vice Chair Mayes commented that this property owner shall abide by the covenants for his home build, then made a motion to table this request for variance application for property located at 18408 Ranchland Hills Vista to the next meeting of the Board of Adjustments and Appeals on Monday, November 1, 2021. Board member Dertien seconded the motion, and the motion passed unanimously.

ADJOURNMENT

A motion was made by Board member Dertien and seconded by Chair Rogers to adjourn. Motion passed unanimously. Chair Rogers adjourned the meeting at 5:30 p.m.

PASSED AND APPROVED AT A MEETING HELD ON NOVEMBER 1, 2021.



Robert Rogers, Chair

ATTEST:



Rachel Austin, City Secretary

